

**MINUTES
SPECIAL BOARD MEETING
Friday, March 11, 2016
209 South Green Street
Glasgow, KY**

PRESENT: Mark Woodward, D.C., President
Frank Hideg, D.C., Vice-President
Terri Byers-Abston, D.C., Secretary
Rodney Casada, D.C., Member
Michael Seibert, D.C., Member
Karalee P. Oldenkamp, D.C., Executive Director
M. Keith Poynter, Board General Counsel

A quorum being present and after confirmation of proper notification of the special-called Board meeting, due to cancellation of the scheduled January meeting due to weather, the meeting was called to order by the President at 9:00 a.m. prevailing time.

ITEM I: MINUTES

A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to approve the minutes of the October 30, 2015 board meeting.

ITEM II: FINANCIAL REPORTS

A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to approve the financial reports for October, November and December 2015 and January and February 2016.

ITEM III: BOARD OFFICE REPORT

The Board reviewed the Board Office Report and a motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to maintain the same delegates and alternate delegates for both the NBCE and FCLB for 2016 as well as to continue membership with the FCLB for 2016. A second motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0, to accept Dr. Hideg's resignation as Field Coordinator and to utilize contract employment for investigative work required for the remainder of the 2016 fiscal year.

ITEM IV: LEGISLATIVE AND REGULATORY CHANGES

The Board reviewed the current legislation, SB290. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 4-1, with Dr. Seibert opposed, to send a letter to the Kentucky Association of Chiropractors and the Kentucky Chiropractic Society and notify them that the Board does not support this legislation.

ITEM V: ADMINISTRATIVE CASE 14-006

This case is set for mediation on April 1, 2016. A motion was made by Dr. Seibert, seconded by Dr. Woodward and passed 5-0 to allow Board Counsel to schedule mediation for additional cases involving this licensee at the same time.

ITEM VI: ADMINISTRATIVE CASE 14-011

This case is continued.

ITEM VII: ADMINISTRATIVE CASE 14-020
This case is continued pending receipt of additional information.

ITEM VIII: ADMINISTRATIVE CASE 14-027
The Board reviewed the information available. A motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to file a Notice of Hearing and Administrative Complaint since the Agreed Order terms had not been accepted.

ITEM IX: ADMINISTRATIVE CASE 15-005
This case is continued.

ITEM X: ADMINISTRATIVE CASE 15-007
This case is continued.

ITEM XI: ADMINISTRATIVE CASE 15-008
This case is continued.

ITEM XII: ADMINISTRATIVE CASE 15-012
The Board reviewed all information available. This case is continued.

ITEM XIII: ADMINISTRATIVE CASE 15-014
The Board reviewed the response to the proposed settlement agreement. A motion was made by Dr. Abston, seconded by Dr. Woodward and passed 5-0 to request supporting documentation to validate the licensee's response, which if provided will close the case, or offer the settlement agreement at the same terms, which if accepted shall close the case.

ITEM XIV: ADMINISTRATIVE CASE 15-018
Upon review of the complaint, the investigative report and the licensee's response, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to dismiss the case.

ITEM XV: ADMINISTRATIVE CASE 15-021
An Administrative Complaint has been filed. This case is continued.

ITEM XVI: ADMINISTRATIVE CASE 15-029
The board reviewed information the licensee had provided in response to the complaint. A motion was made by Dr. Seibert, seconded by Dr. Abston and passed 5-0 to inform the licensee that the initial documents requested must be supplied to the Board office within 10 days, to be reviewed at the next meeting.

ITEM XVII: ADMINISTRATIVE CASE 15-036
Upon review of the complaint and the licensee's response, a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to offer an agreed order at the settlement terms discussed which if accepted shall close the case.

ITEM XVIII: VIOLATION OF AGREED ORDER
ADMINISTRATIVE CASE 11-009
This case is continued waiting on Circuit Court Judge ruling. A motion was made by Dr. Wood-

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ward, seconded by Dr. Seibert and passed 5-0 to allow Board Counsel to continue to negotiate and if settlement is reached at terms discussed, the case may be resolved and closed by Settlement Agreement.

ITEM XIX: VIOLATION OF AGREED ORDER
ADMINISTRATIVE CASE 14-021

The Board reviewed the licensee's signed settlement agreement. A motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 5-0 to accept the Settlement Agreement and close the case.

ITEM XX: VIOLATION OF AGREED ORDER
ADMINISTRATIVE CASE 13-009

This case is continued with Board Counsel attempting to set a mediation date. A Hearing date has been scheduled for May 11-12, 2016, if mediation is not successful.

ITEM XXI: ADMINISTRATIVE CASE 15-037
This case is continued.

ITEM XXII: ADMINISTRATIVE CASE 15-038

Upon review of the complaint and the licensee's response, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to offer an agreed order at the settlement terms discussed which if accepted shall close the case.

ITEM XXIII: ADMINISTRATIVE CASE 16-001

The Board was notified of the licensee's violation of his probation period by entering into a second Agreed Order for violations of KRS 312 and 201 KAR Chapter 21. A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to send a certified letter advising the licensee of the violation, subsequent 30 day suspension which shall be served from April 1-30, 2016, and rights of appeal.

ITEM XXIV: MALPRACTICE CASE 15M-003

The Board reviewed documentation and a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 5-0 to dismiss this case.

ITEM XXV: INITIAL LICENSE APPLICATION
RE: T. KISTLER, D.C.

The Board reviewed the initial application and supporting documents from Dr. Kistler. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to deny Dr. Kistler's license.

ITEM XXVI: INITIAL LICENSE APPLICATION
RE: S. WARREN, D.C.

The Board reviewed the initial application and supporting documents from Dr. Warren. A motion was made by Dr. Seibert, seconded by Dr. Woodward and passed 5-0 to issue Dr. Warren's license.

ITEM XXVII: INITIAL LICENSE APPLICATION
RE: E. SIEGAL, D.C.

The Board reviewed the initial application and supporting documents from Dr. Siegal. A motion was

made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to issue Dr. Siegal's license.

ITEM XXVIII: LICENSE ACTIVATION
RE: M. WALDEN, D.C.

The Board reviewed the activation application and a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 5-0 to activate Dr. Walden's license upon receipt of the remainder of the fee for activation.

ITEM XXIX: CONSIDER CORRESPONDENCE FROM J. MEYERS, D.C.

The Board reviewed correspondence from Jeffery Meyers, D.C. regarding Peer Review. Upon consideration of the information provided, a motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 5-0 to inform the licensee that it appears his issue is with Wellcare and they should be addressed directly, as they are not under the jurisdiction of KRS 312.

ITEM XXX: CONSIDER CORRESPONDENCE FROM T. KELLY, D.C.

The Board reviewed correspondence from Dr. Kelly regarding the Board Peer Review Committee processes. Upon consideration of the information provided, a motion was made by Dr. Abston, seconded by Dr. Woodward and passed 5-0 to inform the licensee that the regulations pertaining to the process of the Board's Peer review Committee currently require that the final report be sent to all parties, but Dr. Kelly's concerns will be considered.

ITEM XXXI: CONSIDER CORRESPONDENCE FROM ERIC RICE
RE: BOARD ADVISORY OPINION

The Board reviewed correspondence from Eric Rice requesting an Advisory Opinion from the Board. A motion was made by Dr. Woodward, seconded by Dr. Hideg and passed 5-0 to inform Mr. Rice that the Board does not issue Advisory Opinions, but to the extent he wishes to file a formal complaint, there is a process for that and the Board will proceed as outlined by the regulations.

ITEM XXXII: ADMINISTRATIVE CASE 16-002

Upon review of the complaint and the licensee's response, a motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to dismiss this case.

ITEM XXXIII: ADMINISTRATIVE CASE 16-003

Upon review of the complaint and the licensee's response, a motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to dismiss this case.

ITEM XXXIV: ADMINISTRATIVE CASE 16-005

Upon review of the complaint and the licensee's response and initial Agreed Order, a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to ratify the initial Agreed Order and continue the administrative case until the criminal case is complete.

ITEM XXXV: INITIAL LICENSE APPLICATION
RE: K. TOMSIC, D.C.

The Board reviewed the initial application and supporting documents from Dr. Tomsic. A motion was made by Dr. Seibert, seconded by Dr. Woodward and passed 5-0 to leave this application in pending status and request that the Texas Medical Board send additional information once final action has been taken in his current board action. The Board will reconsider his license application

when all documentation is received.

ITEM XXXVI: REVIEW JURISPRUDENCE REQUEST
RE: THOMAS FOX, D.C.

The Board reviewed correspondence from Dr. Fox concerning an extension for his jurisprudence requirement as a result of the course date change due to weather. A motion was made by Dr. Hideg, seconded by Dr. Casada and passed 5-0 to approve his request.

ITEM XXXVII: REVIEW JURISPRUDENCE REQUEST
RE: MELISSA DEHART, D.C.

The Board reviewed correspondence from Dr. DeHart requesting her jurisprudence requirement be postponed until the time at which she applies to activate her inactive license. A motion was made by Dr. Abston, seconded by Dr. Hideg and passed 5-0 to approve her request and let her know that the jurisprudence requirement must be completed before her license may be activated.

ITEM XXXVIII: REVIEW JURISPRUDENCE HARDSHIP
RE: PAUL MCCARTHY, D.C.

The Board reviewed correspondence from Dr. McCarthy concerning an extension for his jurisprudence requirement as a result of the course date change due to weather. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to approve his request.

ITEM XXXIX: LICENSE ACTIVATION
RE: JAMES SULLIVAN, D.C.

The Board reviewed the activation application of Dr. Sullivan and a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to activate Dr. Sullivan's license.

ITEM XL: LICENSE ACTIVATION
RE: BALDOMERO NUNEZ, D.C.

The Board reviewed the activation application and a motion was made by Dr. Woodward, seconded by Dr. Abston and passed 5-0 to activate Dr. Nunez's license.

ITEM XLI: LICENSE ACTIVATION
RE: KURT FREILINGER, D.C.

The Board reviewed the activation application and a motion was made by Dr. Woodward, seconded by Dr. Hideg and passed 5-0 to activate Dr. Freilinger's license.

ITEM XLII: LICENSE ACTIVATION
RE: CARI HARNED, D.C.

The Board reviewed the activation application. Since the application was incomplete, no action was taken.

ITEM XLIII: LICENSE REINSTATEMENT
RE: KENT CLARK, D.C.

The Board reviewed the reinstatement application and a motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 5-0 to deny Dr. Clark's request since the requirements for reinstatement as outlined in his previous Agreed Order have not been met.

ITEM XLIV: LICENSE REINSTATEMENT
RE: JOHN LANG, D.C.

The Board reviewed the reinstatement application and a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to deny Dr. Lang's request until proof of compliance is received from the Department of Treasury and reviewed at a board meeting.

ITEM XLV: REVIEW LICENSE RENEWAL APPLICATION
RE: HAGAR GOLAN, D.C.

The Board reviewed the renewal application and supporting documents from Dr. Golan. A motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 5-0 to issue Dr. Golan's license.

ITEM XLVI: REVIEW LICENSE RENEWAL APPLICATION
RE: DAVID GLADSTONE, D.C.

The Board reviewed the renewal application and supporting documents from Dr. Gladstone. A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to renew Dr. Gladstone's license.

ITEM XLVII: CONSIDER HARDSHIP REQUEST
RE: RAY HOUCHIN, D.C.

The Board reviewed correspondence from Dr. Ray Houchin concerning hardship for his active license renewal. A motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 5-0 to approve his request.

ITEM XLVIII: CONSIDER HARDSHIP REQUEST
RE: CHARLES BROWN, D.C.

The Board reviewed correspondence from Dr. Charles Brown concerning hardship on 6 hours of his continuing education requirement. A motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 5-0 to approve his request.

ITEM XLIX: SET FUTURE MEETING DATES

The Board set meetings for July 1 and October 21, 2016, and a Jurisprudence course for November 18, 2016.

ITEM L: TRAVEL AND PER DIEM

A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to approve the travel expenses and per diems relating to today's meeting.

ITEM LI: ADJOURNMENT

There being no further business to come before the Board, upon motion made by Dr. Hideg, seconded by Dr. Abston and passed 5-0, the meeting was adjourned.

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Respectfully submitted:

ATTESTED:

Karalee P. Oldenkamp, D.C.
Executive Director

Mark Woodward, D.C.
President